

### REMARKS

Claims 1, 2, 4, 7-13 and 16-21 are pending in this application. Claims 1, 2, 4, 7-13 and 16-21 stand rejected. Reconsideration and further examination of the subject patent application in light of the present Amendment and Remarks is respectfully requested.

#### Claim Objections

Claim 16 has been objected to for the duplicate use of steps c. In response, the step indicators have been revised to remove any duplication.

#### Rejections Under 35 U.S.C. §112

Claims 1, 2, 4, 7-13 and 16-21 stand rejected under 35 U.S.C. §112, second paragraph. In particular, the Office Action asserts that “Claim 1 is rejected . . . is rejected . . . for omitting essential elements . . . The omitted elements are: the slurry of catalysts further comprise organic elements” (Office Action of 8/13/09, page 2). In response, claim 1 has been amended as suggested.

The Office Action asserts that “Claim 1 recites the limitation ‘the dried slurry’ in line 9 . . . There is insufficient antecedent basis for this limitation in the claim. Accordingly, line 8 has been modified to provide antecedent basis for dried slurry.

The Office Action asserts that “Claim 1 is rejected . . . as being incomplete . . . applicants fail to disclose forming gas diffusion electrodes in the body of the claim” (Office Action of 8/13/09, page 3). However, steps a) through d) of claim 1 already define the essential steps

required for forming gas diffusion electrodes. Accordingly, the rejection is improper and should be withdrawn.

The Office Action asserts that “In claim 4, ‘treating the restricted area to render it less hydrophobic’ is vague and indefinite . . . It is unclear from the claim whether the phrase ‘less hydrophobic’ is compared to what specific area” (Office Action of 8/13/09, page 3). In response, claim 4 has been amended to recite that the restricted area is “relatively less hydrophobic than an area surrounding the well.”

The Office Action asserts that “Claim 16 is rejected . . . is rejected . . . for omitting essential elements . . . The omitted elements are: the slurry of catalysts further comprise organic elements” (Office Action of 8/13/09, page 3). In response, claim 16 has been amended as suggested.

The Office Action asserts that “Claim 16 is rejected . . . as being incomplete . . . applicants fail to disclose forming gas diffusion electrodes in the body of the claim” (Office Action of 8/13/09, page 4). However, steps a) through e) of claim 16 do, in fact, define the essential steps required for forming gas diffusion electrodes. Accordingly, the rejection is improper and should be withdrawn.

The Office Action asserts that “Claim 20 is rejected . . . as being incomplete . . . The omitted structural cooperative relationships are: the electrodes are formed of the dried slurry” (Office Action of 8/13/09, page 4). In response, claim 20 has been amended to recite “heating the slurry and the PTFE substrate in a confined area to dry the slurry.”

The Office Action asserts that “In line 5 of claim 21, ‘preparing the electrode from the slurry and the PTFE substrate in the confined area’ is vague and indefinite” (Office Action of 8/13/09, page 5). However, there is no such phrase in claim 21. However, a comparable phrase has been found in claim 20 and has been amended in response to what is believed to be the intent of the rejection.

The Office Action asserts that “Claim 21 recites the limitation ‘the well’ in line 6 . . . There is insufficient antecedent bases for this limitation . . . In line 6 . . . the phrase ‘lightly pressing’ is subjective, vague and indefinite” (Office Action of 8/13/09, page 5). In response, both incidences have been amended to clarify the meaning.

#### Closing Remarks

For the foregoing reasons, applicant submits that the subject application is in condition for allowance and earnestly solicits an early Notice of Allowance. Should the Primary Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, the Primary Examiner is respectfully requested to call the undersigned at the below-listed number.

The Commissioner is hereby authorized to charge any additional fee which may be required for this application under 37 C.F.R. §§ 1.16-1.18, including but not limited to the issue fee, or credit any overpayment, to Deposit Account No. 23-0920. Should no proper amount be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise

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Amendment under Rule 37 CFR § 1.113

improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 23-0920. *(If filed by paper, a duplicate copy of this sheet(s) is enclosed).*

Respectfully submitted,

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